

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 28, 2004. Claims 2 to 5, 8 to 26 and 28 to 38 are now in the application, of which Claims 2, 3, 5 and 8 to 18 are independent. Reconsideration and further examination are respectfully requested.

Claims 1 to 38 were rejected under 35 U.S.C. § 112, second paragraph. Specifically, the Office Action alleged that the term “bulky” in Claims 1, 7, 18, 27 is a relative term which renders the claims indefinite. In response, Claims 7 and 27 have been cancelled without prejudice or disclaimer of the subject matter, and the rest of the claims have been amended to attend to the rejection by replacing the phrase “bulky alkyl group or bulky aryl group” with the phrase “tert-butyl group”.

Accordingly, withdrawal of the § 112, second paragraph, rejection is respectfully requested.

In addition, aside from § 112, second paragraph, rejection, the Office Action indicated that Claims 18 to 38 would be allowable and Claims 2 to 5 and 8 to 17 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. In keeping with this indication, the substance of Claim 1 has been incorporated into Claims 2, 3, 5 and 8 to 17, and Claim 1 has been cancelled. Claim 4 was not rewritten in independent form, but is believed to be allowable. Specifically, the rewriting of Claim 4 is deemed unnecessary since it depends on amended Claim 3, which was indicated as allowable if rewritten to include all of the limitations of the base claim, Claim 1.

Accordingly, Claims 2 to 5 and 8 to 38 are believed to be in condition for allowance, and

such action is courteously solicited in the event the § 112, second paragraph, rejection is withdrawn.

Claims 1 and 6 have been rejected under 35 U.S.C. § 102(b) over J. Org. Chem., vol. 65, pp. 5069 to 5071 (2000) (Munoz), and Claims 1, 6 and 7 have been rejected under 35 U.S.C. § 102(b) over J. Org. Chem., vol. 62, pp. 1188 to 1190 (1997) (Miura). In response, Claims 6 and 7 have been cancelled without prejudice or disclaimer of subject matter, and without conceding the correctness of the rejection. In addition, as previously indicated, the substance of Claim 1 has been incorporated into Claims 2, 3, 5 and 8 to 17, and Claim 1 has been cancelled.

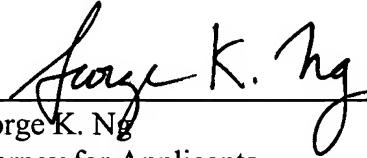
Accordingly, withdrawal of the § 102(b) rejections is respectfully requested.

In addition to the foregoing changes, minor amendments were made to the claims to maintain consistency.

No other matters being raised, it is believed that the entire application is in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


George K. Ng
Attorney for Applicants
Registration No. 54,334

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

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